

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

OCT 02 2019
JAMES W. MCCORMACK, CLERK
By: *[Signature]*
DEP CLERK

DESMOND KELLEY,)
a/k/a "TRELL";)
JAVION ROBINSON,)
a/k/a "BOOBIE";)
DARRELL WALLS,)
a/k/a "SHAWN";)
JAYLON LIVINGSTON,)
a/k/a "J-RAY";)
DEWON WILLIAMS,)
a/k/a "WORK";)
COLTON WADE;)
a/k/a "BOLT")
ROBERT JOHNSON;)
RICKY HINTON;)
BRIANNA GODFREY;)
CANDICE CARROLL;)
MICHAEL GIOELLI;)
DEVON SHORES;)
JULIE EDDY;)
RONALD CRAIG SMITH;)
MATTHEW RIGGS;)
JAMIE GOFF; and)
NICHOLAS CONLEY)

No. 4:19CR 00566 BSM

18 U.S.C. § 922(g)
18 U.S.C. § 924(c)
21 U.S.C. §§ 841(a)(1), (b)(1)(A)
21 U.S.C. §§ 841(a)(1), (b)(1)(B)
21 U.S.C. §§ 841(a)(1), (b)(1)(C)
21 U.S.C. § 843(b)
21 U.S.C. § 846

INDICTMENT

THE GRAND JURY CHARGES:

COUNT 1

A. Beginning on a date unknown to the Grand Jury but at least as early as in or about November 2018, and continuing up to and including the date of the return of this Indictment, in the Eastern District of Arkansas and elsewhere, the defendants,

DESMOND KELLEY, a/k/a "TRELL";
JAVION ROBINSON, a/k/a "BOOBIE";
DARRELL WALLS, a/k/a "SHAWN";
JAYLON LIVINGSTON, a/k/a "J-RAY";

DEWON WILLIAMS, a/k/a “WORK”;
COLTON WADE, a/k/a/ “BOLT”;
ROBERT JOHNSON;
RICKY HINTON;
BRIANNA GODFREY;
CANDICE CARROLL;
MICHAEL GIOELLI;
DEVON SHORES;
JULIE EDDY;
RONALD CRAIG SMITH;
MATTHEW RIGGS;
JAMIE GOFF; and
NICHOLAS CONLEY,

voluntarily and intentionally conspired with each other, and with others known and unknown to the grand jury, to knowingly and intentionally possess with intent to distribute and to distribute fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A), (B), and (C).

B. With respect to defendants DESMOND KELLEY, a/k/a “TRELL”, JAVION ROBINSON, a/k/a “BOOBIE”, DARRELL WALLS, a/k/a “SHAWN”, JAYLON LIVINGSTON, a/k/a “J-RAY”, DEWON WILLIAMS, a/k/a “WORK”, COLTON WADE, a/k/a/ “BOLT”, and CANDICE CARROLL, the amount of fentanyl involved in the conspiracy attributable to each of them as a result of his or her own conduct, and the conduct of other co-conspirators reasonably foreseeable to him or her, is 400 grams or more of a mixture and substance containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(A).

C. With respect to defendants ROBERT JOHNSON, RICKY HINTON, BRIANNA GODFREY, MICHAEL GIOELLI, DEVON SHORES, JULIE EDDY, and RONALD CRAIG SMITH, the amount of the amount of fentanyl involved in the

conspiracy attributable to each of them as a result of his or her own conduct, and the conduct of other co-conspirators reasonably foreseeable to him or her, is 40 grams or more of a mixture and substance containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(B).

D. With respect to defendants MATTHEW RIGGS, JAMIE GOFF, and NICHOLAS CONLEY, and the amount of the amount of fentanyl, a Schedule II controlled substance, involved in the conspiracy attributable to each of them as a result of his or her own conduct, and the conduct of other co-conspirators reasonably foreseeable to him or her, is less than 40 grams of a mixture and substance containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(C).

E. Defendant DESMOND KELLEY, a/k/a "TRELL", committed the above offense while on pretrial release pursuant to an order dated January 30, 2019, from the United States District Court for the Eastern District of Arkansas, Case Number 4:17-CR-00111-JM, which order notified the Defendant of the potential effect of committing an offense while on pretrial release.

All in violation of Title 21, United States Code, Section 846 and Title 18, United States Code, Section 3147(1).

COUNT 2

On or about January 23, 2019, in the Eastern District of Arkansas, the defendant,
DARRELL WALLS, a/k/a “SHAWN”,
knowingly and intentionally distributed a mixture and substance containing a detectable
amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United
States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 3

On or about February 6, 2019, in the Eastern District of Arkansas, the defendant,
DARRELL WALLS, a/k/a “SHAWN”,
knowingly and intentionally distributed a mixture and substance containing a detectable
amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United
States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 4

On or about February 13, 2019, in the Eastern District of Arkansas, the defendant,
DARRELL WALLS, a/k/a “SHAWN”,
knowingly and intentionally distributed a mixture and substance containing a detectable
amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United
States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 5

On or about February 20, 2019, in the Eastern District of Arkansas, the defendants,
DARRELL WALLS, a/k/a “SHAWN”, and BRIANNA GODFREY,

knowingly and intentionally distributed a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 6

On or about February 20, 2019, in the Eastern District of Arkansas, the defendants,
DARRELL WALLS, a/k/a “SHAWN”, and BRIANNA GODFREY,
knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 7

On or about February 20, 2019, in the Eastern District of Arkansas, the defendants,
DARRELL WALLS, a/k/a “SHAWN”, and BRIANNA GODFREY,
knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 8

On or about March 6, 2019, in the Eastern District of Arkansas, the defendant,
DARRELL WALLS, a/k/a “SHAWN”,
knowingly and intentionally distributed a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 9

On or about March 20, 2019, in the Eastern District of Arkansas, the defendant,
DARRELL WALLS, a/k/a “SHAWN”,
knowingly and intentionally distributed a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 10

On or about March 25, 2019, in the Eastern District of Arkansas, the defendant,
DARRELL WALLS, a/k/a “SHAWN”,
knowingly and intentionally distributed more than 40 grams but less than 400 grams of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT 11

On or about April 17, 2019, in the Eastern District of Arkansas, the defendant,
DARRELL WALLS, a/k/a “SHAWN”,
knowingly and intentionally distributed a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 12

On or about May 23, 2019, in the Eastern District of Arkansas, the defendant,
DARRELL WALLS, a/k/a “SHAWN”,

knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 13

On or about May 23, 2019, in the Eastern District of Arkansas, the defendants,
DARRELL WALLS, a/k/a “SHAWN”, and CANDICE CARROLL,
knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 14

On or about March 25, 2019, in the Eastern District of Arkansas, the defendant,
COLTON WADE, a/k/a “BOLT”,
knowingly and intentionally distributed a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 15

On or about February 21, 2019, in the Eastern District of Arkansas, the defendant,
MICHAEL GIOELLI,
knowingly and intentionally distributed a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 16

On or about June 13, 2019, in the Eastern District of Arkansas, the defendant,

ROBERT JOHNSON,

knowingly and intentionally distributed a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 17

On or about June 20, 2019, in the Eastern District of Arkansas, the defendant,

JAYLON LIVINGSTON, a/k/a “J-RAY”,

knowingly and intentionally distributed a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 18

On or about July 18, 2019, in the Eastern District of Arkansas, the defendant,

JAYLON LIVINGSTON, a/k/a “J-RAY”,

knowingly and intentionally distributed a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 19

A. On or about to June 26, 2019, the defendant,

RICKY HINTON,

had previously and knowingly been convicted of one or more of the following crimes punishable by a term of imprisonment exceeding one year:

1. Possession of a Controlled Substance, Possession of Drug Paraphernalia, Possession of Firearms by Certain Persons, and Possession of a Defaced Firearm, in Pulaski County, Arkansas, Circuit Court case number CR-2014-31;
2. Possession of a Controlled Substance with Purpose to Deliver (three counts), and Possession of Drug Paraphernalia in Pulaski County, Arkansas, Circuit Court case number CR-2016-3663; and
3. Possession of a Controlled Substance with Purpose to Deliver, Possession of Firearms by Certain Persons, and Forgery in the First Degree, in Pulaski County, Arkansas, Circuit Court case number CR-2013-575.

B. On or about June 26, 2019, in the Eastern District of Arkansas, the defendant,

RICKY HINTON,

knowingly possessed, in and affecting commerce, one or more of the following firearms:

1. A Glock 19, 9mm handgun, bearing serial number BDUH482; and
2. A Colt .45-caliber handgun, model MK IV, bearing serial number 70N38933.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 20

On or about June 26, 2019, in the Eastern District of Arkansas, the defendant,

RICKY HINTON,

knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 21

On or about June 26, 2019, in the Eastern District of Arkansas, the defendant,

RICKY HINTON,

knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 22

On or about June 26, 2019, in the Eastern District of Arkansas, the defendant,

RICKY HINTON,

knowingly and intentionally possessed at least one of the following firearms, that is: a Glock 19, 9mm handgun, bearing serial number BDUH482, and a Colt .45-caliber handgun, model MK IV, bearing serial number 70N38933, in furtherance of a drug trafficking crime prosecutable in a court of the United States, that is: a violation of Title 21, United States Code, Sections 846 and 841(a)(1), as set forth in Counts 1, 20, and 21 of this Indictment.

All in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 23

A. On or about to August 21, 2019, the defendant,

ROBERT JOHNSON,

had previously and knowingly been convicted of one or more of the following crimes punishable by a term of imprisonment exceeding one year:

1. Possession of a Controlled Substance, in Pulaski County, Arkansas, Circuit Court case number CR-2006-3586; and
2. Battery, First Degree, in Pulaski County, Arkansas, Circuit Court case number CR-2008-979.

B. On or about August 21, 2019, in the Eastern District of Arkansas, the defendant,

ROBERT JOHNSON,

knowingly possessed, in and affecting commerce, a firearm, that is, one Taurus, model TH9C, 9mm semi-automatic handgun, bearing serial number TLU23182, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 24

On or about May 2, 2019, in the Eastern District of Arkansas, the defendant,

CANDICE CARROLL,

knowingly and intentionally used a communication facility, to wit, a telephone, in committing, causing and facilitating conspiracy to distribute and possess with intent to distribute a controlled substance, as set forth in Count 1 of this Indictment, in violation of Title 21, United States Code, Section 846.

In violation of Title 21, United States Code, Section 843(b).

COUNT 25

On or about May 3, 2019, in the Eastern District of Arkansas, the defendant,

CANDICE CARROLL,

knowingly and intentionally used a communication facility, to wit, a telephone, in committing, causing and facilitating conspiracy to distribute and possess with intent to distribute a controlled substance, as set forth in Count 1 of this Indictment, in violation of Title 21, United States Code, Section 846.

In violation of Title 21, United States Code, Section 843(b).

COUNT 26

On or about May 7, 2019, in the Eastern District of Arkansas, the defendant,

JAVION ROBINSON, a/k/a "BOOBIE",

knowingly and intentionally used a communication facility, to wit, a telephone, in committing, causing and facilitating conspiracy to distribute and possess with intent to distribute a controlled substance, as set forth in Count 1 of this Indictment, in violation of Title 21, United States Code, Section 846.

In violation of Title 21, United States Code, Section 843(b).

COUNT 27

On or about May 11, 2019, in the Eastern District of Arkansas, the defendant,

JAMIE GOFF,

knowingly and intentionally used a communication facility, to wit, a telephone, in committing, causing and facilitating conspiracy to distribute and possess with intent to

distribute a controlled substance, as set forth in Count 1 of this Indictment, in violation of Title 21, United States Code, Section 846.

In violation of Title 21, United States Code, Section 843(b).

COUNT 28

On or about May 4, 2019, in the Eastern District of Arkansas, the defendant,

DEVON SHORES,

knowingly and intentionally used a communication facility, to wit, a telephone, in committing, causing and facilitating conspiracy to distribute and possess with intent to distribute a controlled substance, as set forth in Count 1 of this Indictment, in violation of Title 21, United States Code, Section 846.

In violation of Title 21, United States Code, Section 843(b).

COUNT 29

On or about May 3, 2019, in the Eastern District of Arkansas, the defendant,

JULIE EDDY,

knowingly and intentionally used a communication facility, to wit, a telephone, in committing, causing and facilitating conspiracy to distribute and possess with intent to distribute a controlled substance, as set forth in Count 1 of this Indictment, in violation of Title 21, United States Code, Section 846.

In violation of Title 21, United States Code, Section 843(b).

COUNT 30

On or about May 8, 2019, in the Eastern District of Arkansas, the defendant,

JULIE EDDY,

knowingly and intentionally used a communication facility, to wit, a telephone, in committing, causing and facilitating conspiracy to distribute and possess with intent to distribute a controlled substance, as set forth in Count 1 of this Indictment, in violation of Title 21, United States Code, Section 846.

In violation of Title 21, United States Code, Section 843(b).

COUNT 31

On or about May 2, 2019, in the Eastern District of Arkansas, the defendant,

RICKY HINTON,

knowingly and intentionally used a communication facility, to wit, a telephone, in committing, causing and facilitating conspiracy to distribute and possess with intent to distribute a controlled substance, as set forth in Count 1 of this Indictment, in violation of Title 21, United States Code, Section 846.

In violation of Title 21, United States Code, Section 843(b).

COUNT 32

On or about May 3, 2019, in the Eastern District of Arkansas, the defendant,

RICKY HINTON,

knowingly and intentionally used a communication facility, to wit, a telephone, in committing, causing and facilitating conspiracy to distribute and possess with intent to distribute a controlled substance, as set forth in Count 1 of this Indictment, in violation of Title 21, United States Code, Section 846.

In violation of Title 21, United States Code, Section 843(b).

COUNT 33

On or about May 7, 2019, in the Eastern District of Arkansas, the defendant,

RONALD CRAIG SMITH,

knowingly and intentionally used a communication facility, to wit, a telephone, in committing, causing and facilitating conspiracy to distribute and possess with intent to distribute a controlled substance, as set forth in Count 1 of this Indictment, in violation of Title 21, United States Code, Section 846.

In violation of Title 21, United States Code, Section 843(b).

COUNT 34

On or about May 9, 2019, in the Eastern District of Arkansas, the defendant,

RONALD CRAIG SMITH,

knowingly and intentionally used a communication facility, to wit, a telephone, in committing, causing and facilitating conspiracy to distribute and possess with intent to distribute a controlled substance, as set forth in Count 1 of this Indictment, in violation of Title 21, United States Code, Section 846.

In violation of Title 21, United States Code, Section 843(b).

COUNT 35

On or about May 8, 2019, in the Eastern District of Arkansas, the defendant,

DEWON WILLIAMS, a/k/a “WORK”,

knowingly and intentionally used a communication facility, to wit, a telephone, in committing, causing and facilitating conspiracy to distribute and possess with intent to

distribute a controlled substance, as set forth in Count 1 of this Indictment, in violation of Title 21, United States Code, Section 846.

In violation of Title 21, United States Code, Section 843(b).

COUNT 36

On or about May 3, 2019, in the Eastern District of Arkansas, the defendant,

NICHOLAS CONLEY,

knowingly and intentionally used a communication facility, to wit, a telephone, in committing, causing and facilitating conspiracy to distribute and possess with intent to distribute a controlled substance, as set forth in Count 1 of this Indictment, in violation of Title 21, United States Code, Section 846.

In violation of Title 21, United States Code, Section 843(b).

COUNT 37

On or about May 7, 2019, in the Eastern District of Arkansas, the defendant,

MATTHEW RIGGS,

knowingly and intentionally used a communication facility, to wit, a telephone, in committing, causing and facilitating conspiracy to distribute and possess with intent to distribute a controlled substance, as set forth in Count 1 of this Indictment, in violation of Title 21, United States Code, Section 846.

In violation of Title 21, United States Code, Section 843(b).

FORFEITURE ALLEGATION 1

Upon conviction of any Counts 1 through 37 of this Indictment, the defendants, DESMOND KELLEY, a/k/a "TRELL", JAVION ROBINSON, a/k/a "BOOBIE", DARRELL WALLS, a/k/a "SHAWN", JAYLON LIVINGSTON, a/k/a "J-RAY", DEWON WILLIAMS, a/k/a "WORK", COLTON WADE, a/k/a "BOLT", ROBERT JOHNSON, RICKY HINTON, BRIANNA GODFREY, CANDICE CARROLL, MICHAEL GIOELLI, DEVON SHORES, JULIE EDDY, RONALD CRAIG SMITH, MATTHEW RIGGS, JAMIE GOFF, and NICHOLAS CONLEY, shall forfeit to the United States, under Title 21, United States Code, Section 853(a)(1), all property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as a result of the offense.

FORFEITURE ALLEGATION 2

Upon conviction of any Counts 1 through 37 of this Indictment, the defendants, DESMOND KELLEY, a/k/a "TRELL", JAVION ROBINSON, a/k/a "BOOBIE", DARRELL WALLS, a/k/a "SHAWN", JAYLON LIVINGSTON, a/k/a "J-RAY", DEWON WILLIAMS, a/k/a "WORK", COLTON WADE, a/k/a "BOLT", ROBERT JOHNSON, RICKY HINTON, BRIANNA GODFREY, CANDICE CARROLL, MICHAEL GIOELLI, DEVON SHORES, JULIE EDDY, RONALD CRAIG SMITH, MATTHEW RIGGS, JAMIE GOFF, and NICHOLAS CONLEY, shall forfeit to the United States, under Title 21, United States Code, Section 853(a)(2), all of the person's property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offense.

FORFEITURE ALLEGATION 3

Upon conviction of any Counts 1 through 37 of this Indictment, the defendants, DESMOND KELLEY, a/k/a “TRELL”, JAVION ROBINSON, a/k/a “BOOBIE”, DARRELL WALLS, a/k/a “SHAWN”, JAYLON LIVINGSTON, a/k/a “J-RAY”, DEWON WILLIAMS, a/k/a “WORK”, COLTON WADE, a/k/a “BOLT”, ROBERT JOHNSON, RICKY HINTON, BRIANNA GODFREY, CANDICE CARROLL, MICHAEL GIOELLI, DEVON SHORES, JULIE EDDY, RONALD CRAIG SMITH, MATTHEW RIGGS, JAMIE GOFF, and NICHOLAS CONLEY, shall forfeit to the United States, under Title 18, United States Code, Section 924(d), Title 21, United States Code, Section 853, and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of the offense.

FORFEITURE ALLEGATION 4

Upon conviction of the offense alleged in Counts 19 or 22 of this Indictment, the defendant, RICKY HINTON, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d), Title 21, United States Code, Section 853, and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of the offense.

FORFEITURE ALLEGATION 5

Upon conviction of the offense alleged in Count 23 of this Indictment, the defendant, ROBERT JOHNSON, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d), Title 21, United States Code, Section 853, and Title

28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of the offense.

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